

OLC 75-2993

26 NOV 1975

Mr. James M. Frey  
Assistant Director for Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Frey:

Enclosed is a proposed report to Chairman Ribicoff, Senate Committee on Government Operations, in response to a request for our recommendations on S. 2477, a bill "To provide more effective public disclosure of certain lobbying activities to influence issues before the Congress and the executive branch, and for other purposes."

The Senate Government Operations Committee has been holding hearings on various lobbying bills over the past several months, and is preparing to report out a lobbying bill in the very near future.

We would appreciate advice as to whether there is any objection to the submission of this report from the standpoint of the Administration's program as soon as possible.

Sincerely,

**SIGNED**

George L. Cary  
Legislative Counsel

Enclosure

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1 - OLC Subject, w/encl  
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1 - OLC Chrono  
OLC:WPB:sk (20 Nov 75)

CRC 3/17/2004



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

Honorable Abraham Ribicoff, Chairman  
Committee on Government Operations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request for our views on S. 2477, a bill which would regulate lobbying by providing for public disclosure of certain lobbying activities. Under this bill an individual or organization which meets the definition of "lobbyist" must register and file reports with the Comptroller General.

The Central Intelligence Agency was established by the National Security Act of 1947 primarily to provide policy makers with information on foreign areas and developments. It is not a policy making agency and, consequently, has not been subject to lobbying pressures. Therefore, our interest in legislation of this type has been limited to the concern that overbreadth of language could inhibit this Agency's foreign intelligence gathering mission. Specifically, we have been concerned that a broad definition of the term "lobbying" could be expansively interpreted to cover communications relating to sensitive intelligence matters between this Agency and outside persons. Disclosure of such contacts would be contrary to provisions of law which charge the Director of Central Intelligence with protection of intelligence sources and methods [50 U.S.C. 403] and which exempt CIA from other laws requiring disclosure of Agency organization and personnel [50 U.S.C. 403(g)].

This potential conflict has been raised by several other lobbying bills introduced in this Congress which have embodied broad and ambiguous definitions of the term "lobbying," namely, S. 774, S. 815, S. 2068, and S. 2167. However, S. 2477 has a more precisely defined scope which would not impinge upon the Agency's foreign intelligence mission. Therefore, we prefer the latter bill over earlier proposals.

The Office of Management and Budget has advised there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

George L. Cary  
Legislative Counsel

